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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,039	09/09/2003	William C. Farley	934-P-3	5798

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PO BOX 55630
PHOENIX, AZ 85078

EXAMINER

HARPER, TRAMAR YONG

ART UNIT	PAPER NUMBER
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3714

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
30 DAYS	04/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

DETAILED ACTION

Response to Amendment

Examiner acknowledges receipt of amendment filed 01/30/07. The arguments set forth in the response are addressed herein below. Claim 1 has been cancelled and claims 2-3 are newly added.

Notice of Non-Responsive Amendment

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claim 1, drawn to chip/currency validation method, wherein a sensor detects the value of chips dispensed, a sensor detects the value of currency presented to a patron, and the values are compared.
- II. Claims 2-3, drawn towards a method wherein, a machine receives currency and dispenses chips, the machine connects to a website, and a patron can select and purchase goods and services on the website.

Newly submitted claims 2-3 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

Inventions of Claims 2-3 and Claim 1 are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the combination is directed towards a method wherein, a machine receives currency and

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dispenses chips, the machine connects to a website, and a patron can select and purchase goods and services on the website. The subcombination has separate utility such as a sensor for determining the value of chips dispensed to a casino patron, a sensor for determining the value of currency presented by the casino patron in payment of chips, and the step of comparing the value of chips dispensed with the value of currency presented.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, Claims 2-3 withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

The amendment filed on 1/30/07 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03).

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37.CFR 1.136(a) ARE AVAILABLE.


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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tramar Harper whose telephone number is (571) 272-6177. The examiner can normally be reached on 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Robert E Pezzuto
Supervisory Patent Examiner
Art Unit 3714

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4/13/07